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Translated by
Defense Language Branch

OFFICIAL GAZETTE (BWV)

Sunday, 3 February 1929

(Cabinet Printing Bureau)

56TH SESSION OF THE IMPERIAL DIET

No. 11 Shortland Transcript of Proceedings
House of Representatives

(omitted)

This law shall be effective from the date of its promulgation.

(Ministry of State HARA, Yoshimichi ascends Rostrum)

Minister of State HARA-Gentlemen:

Article I of the Peace Preservation Law does not provide proper punishment against those who constitute a secret society for the purpose of changing the national structure. That this provision is not sufficient for the preservation of law and order in our country the Government has previously pointed out at the 55th Diet session in connection with the bill tendered by it regarding the revision of the Peace Preservation law. The aim of that revision bill, if I might speak of it, is, needless to say, the preservation and safeguarding of our national polity based upon government under an Emperor of a lineage unbroken for ages eternal. (Applause)
To change this national polity is nothing other than to seek the utter extinction of our State. (Applause) This is indeed a matter

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of utmost apprehension and concern to our Empire. It is because of this that the present criminal code provides for the extreme penalty against the crimes of grand treason against the throne and treason against the country. However, places to change the national polity are not limited merely to methods of direct action such as the use of violence. They include methods which seek to bring about the collapse of the national polity by corrupting and demoralizing popular thought through secret organizations and without the employment of troops. This may be called an ideological crime of rebellion and its dangers are no less fearful than the former. (applause) Organizations of this category are working in collusion with organizations outside of the country whose aim is world revolution and, at the beck and call of the latter, plot and seek the collapse of our flawless and unique national polity. (applause) The actions of such organizations are something to be greatly feared and afford actions tantamount to selling away the country and are as dangerous as the worst form of treason provided for in the criminal code. (applause)

In short this may also be called "thought treason." Despite the fact that the criminal code provides for the extreme penalty for such crimes as grand treason and rebellion, it is entirely out of proportion that the peace preservation law provides only for a term of imprisonment of less than ten years against organizations which seek to change the national polity. Under such provisions it is impossible to attain the aim of peace preserv

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Even those who have not joined such organizations, but who knowingly perform acts in pursuance of the aims of such organizations, should also be punished in the same manner as members of these organizations. Unless this is done it is impossible to prevent such lawless and rebellious plottings. This is the reason why the Government revised Article 1 of the Peace Preservation Law. Yet despite the earnest desire of the Government to have this revision bill passed at the 55th session of the Diet, this House did not then complete the deliberations upon it. Although the Government since then has kept strict surveillance over the movements and actions of those unapprehended members of the Japan Communist Party, a branch of the Third Internationale and a secret organization which aims at the change of our national polity, and in spite of the fact that this was done after many party members had been placed under arrest, they are continuing their unlawful plottings. In concert with communists without party affiliations they are disseminating extreme ideologies among the people. We have recognized noticeable signs of their intentions to carry out their plans. As soon as the Third Internationale learned of the wholesale round-up of members of the Japan Communist Party, the Oriental Communist College for workers in Moscow, began to send back Japanese students and we have reliable information that they have been instructed to expand and perfect the party organization. At such a time as the present when there are persons actually in existence who

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are plotting to destroy the foundations of our state and are pushing their plans forward, we cannot maintain law and order in our country unless proper penal regulations are established, the people informed of the gravity of the situation and, while preventing them from falling prey to the instigations of those unlawful elements also issue warnings to those elements to give them an opportunity for self-reflection. As you gentlemen well know, the latter half of last year was a period when the most strict order and tranquillity was necessary and it was further reason that every measure was taken to maintain it. As the Diet was then not in session the Government, recognizing an urgent necessity to maintain public safety, in accordance with Article VI of the Constitution, took the step of procuring Imperial Sanction for an ordinance in lieu of law which was promulgated on 29 July 1928. This in other words, is the ordinance which has been placed on the agenda for the purpose of receiving the approval of the Imperial Diet. After due deliberation, I hope that your approval will be given. (Applause)

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CERTIFICATE OF SOURCE AND AUTHENTICITY

I, YAMASAKI, Takashi, who occupy the post of the Chief of The Section of General Affairs, The House of Representatives, hereby certify that the document hereto attached, written in Japanese, consisting of Four pages and entitled "Stenographic records of the Proceedings, of The House of Representatives, No. 11, p. 178 concerning the Cabinet meeting of Feb. 3, 1929." is an exact and authorized copy from an official document in the custody of Japanese Government.

certified at Tokyo,
on this 10th day of March, 1947

YAMASAKI, Takashi

(seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the witness.

at the same place,
on this same date

Witness: TAKEI, Tsunao

(seal)

Translation Certificate

I, Fumiko Fukuoka, of the Defense, hereby certify that the attached translation of No. 11 Shortland Transcript of Proceedings House of Representatives is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

Fumiko Fukuoka

Tokyo, Japan
Date 27 February 1947

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官報

號外

昭和四年二月三日

日曜日

内閣印刷局

第五十六回帝國議會衆議院議事速記録第十一號(拔萃)

(前略)

本令ハ公布ノ日ヨリ之ヲ施行ス

「國務大臣原嘉道君登壇」

國務大臣(原嘉道君)諸君、大正十四年法律第四十六號治安維持法第一條ガ、國體變革ヲ目的トスル秘密結社ヲ組成スル者ニ對シマシテ、科刑ノ宜シキヲ得ナイモノガアリマシテ、我ガ帝國ノ治安ヲ維持スルニ足ラナイト云フコトハ、曩ニ第五十五議會ニ於キマシテ政府ガ治安維持法中改正法律案ヲ提出スルニ當ツテ述べタトホリデアリマスルガ、今茲ニ其要旨ヲ申上マスレバ、抑々大日本帝國ハ萬世一系ノ天皇之ヲ統治セラレマスルヲ以テ萬代不易ノ國體デアルコトハ申ス迄モナイ所デアリマス(拍手)此ノ國體ノ變革ヲ企テマスルノハ、即チ我ガ國家ヲ滅亡セシメントスルニ外ナラナイモノデアリマス(拍手)是レ帝國トシテ最モ恐ルベキ

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所ノモノデアリマシテ、現行刑法が大逆罪、姦逆罪ニ對シ、殊ニ極刑ヲ科シテ居リマスノモ亦之ガ爲デアリマス。併ナガラ國體變革ノ計畫ハ、單リ此ノ種姦逆ノ暴力的行爲ヲ手段トスルモノ、ミニハ止マラナイノデアリマシテ、政黨組織ニ依リ、國民ノ思想ヲ腐蝕惡化シ、一兵ニ即ラザルモ尙ホ團體ノ瓦解ヲ惹起スベキ手段ニ依ルモノモアルノデアリマス。是ハ思想的內亂罪トモ謂フベキモノデアリマシテ、其惡ルベキコトハ決シテ前者ニ勝ラナイノデアリマス（拍手）而シテ此ノ種ノ結社團體ハ國際的革命ノ目的ト致シマスル國外團體ト氣脈ヲ通ジマシテ、其驅使ニ甘ジ金匱無缺ノ我が國體ノ崩壊ヲ策畫スルモノデアリマス（拍手）斯ル國體ノ行動ハ實ニ惡ルベキ、又最モ惡ムベキ賣國奴的ノモノデアリマシテ、其危險ナルコトハ刑法所定ノ外患罪ニ該ル所ハアリマセン（拍手）是ハ即チ思想的外患罪ト謂フテモ宜シイノデアリマス、然ルニ刑法が大逆罪、內亂罪及外患罪ニ對シテ極刑ヲ科シテ居リマスルニモ拘ハリマセズ、治安維持法ガ國體變革ヲ目的トスル結社ニ對シテ、償二十年以下ノ有期刑ヲ以テ致シテ居リマシタノハ、權衡ヲ失スルノ甚シキモノデアリマシテ

斯ノ如クシマシテハ到底我が帝國ノ治安維持ノ目的ヲ達スルコトハ出来
 ナイノデアリマス。殊ニ未ダ結社ニ加入致シマセヨデモ、結社ノ目的ヲ
 知ツテ之ガ遂行ノ行爲ヲ爲シマスル者モ亦加入者ト等シク處罰致シマセ
 ヲケレバ、到底斯ル不逞ノ企畫ヲ防止スルコトハ出来ナイノデアリマス。
 是レ政府ガ治安維持法案一修ノ改正ヲ必要トシタ理由デアリマス。然ル
 ニ第五十五議會ニ於キマシテハ、政府ガ該法律案ノ通過ヲ切望致シマシ
 タルニモ拘ハリマセズ、遂ニ本院ニ於テ棄議未了ニ終リマシタ。爾來政
 府ハ我が國體ノ變革ヲ目的ニスル祕密結社ニシテ第三「インターナシヨ
 ナル」ノ日本支部デアル日本共產黨員中、未ダ續ニ付カヨ者等ノ行動如
 何ヲ注視シテ居リマシタ所、彼等ハ多數黨員ノ檢舉後ナルニモ拘リマセ
 ズ、依然トシテ不逞ノ計畫ヲ遂行セント致シマシテ、黨員以外ノ同主義
 者ト相呼應シテ、益々我が國民中ニ危激ノ思想ヲ普及シ、且ツ其企畫ヲ
 實行セントスルノ狀況顯然タルモノアルヲ認メマシタ。加フルニ第三「イ
 ンターナシヨナル」ハ日本共產黨員ノ大檢舉アリタルヲ見マスルヤ、モ
 スコー」ニ於ケル東洋勤勞者共產大學ノ留學生ヲ總々歸朝セシメ、黨ノ

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組織、整備、擴大ニ努メシムルトノ信ズヘキ情報ガアツタノデアリマス
 斯ノ如ク現ニ我が國家ノ基礎ヲ破斷スル企畫ヲ實現セントスル者ガ存在
 シテ、若々其ノ歩ヲ進メテ居ルガ如キ場合ニ於キマシテハ、一日モ速ニ
 適當ナル刑罰法規ヲ定メ、汎ク國民ヲシテ寡廉ノ重大ナル事ヲ知ラシメ、
 苟モ彼等不逞ノ徒ノ煽動誘惑ニ陥ルガ如キナカラシメマスルト共ニ、彼
 等不逞ノ徒ニ對シマシテモ亦一大警戒ヲ與ヘ、反省自覺スル所アラシム
 ルニアラザレバ、國家ノ治安ハ維持出來ナイノデアリマス。特ニ昨年ノ
 下半期ハ、我が帝國ガ最モ嚴肅ニシテ且ツ最モ靜謐ナル秩序ヲ要スル時
 機デアツタト云フコトハ、諸君ノ御承知ノ通りデアリマシテ、有ユル手
 段ニ依リマシテ國家ノ治安ヲ維持スルヲ相嘗トシタノデアリマス。而シ
 テ當時帝國議會ハ閉會中デアリマシタカラ、政府ハ憲法第八條ニ依リ、
 公共ノ安全ヲ保持スル爲メ、緊急ノ必要アル場合ナリト認メマシテ法律
 ニ代ルベキ勅令ノ御裁可ヲ得テ、昭和三年六月二十九日其ノ公布ヲ見タ
 ノデアリマス。是ガ即チ茲ニ議題トシテ帝國議會ノ承認ヲ求ムル勅令デ
 アリマスカラ、何卒御審議ノ上承諾ヲ與ヘラレンコトヲ希望致シマス(指
 手)(後略)

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證 明 書

自分、山崎 直に衆議院庶務課長の職にある者なるところ、別紙
 日本文政館より成る書類は、自分が其の庶務上保管に係る昭和四
 年二月三日附録の、衆議院議事速記録十一號一七五頁の部分の正
 確なる事なることを証明します

昭和二十二年三月十日

於衆議院

山崎

高

右は自分の面前に於て署名捺印せられたることを證明します

同日 於 同 所

立會人 武井 次男